



**The Commissioner for
Public Appointments**

William Shawcross CVO
Commissioner for Public Appointments
G/07, 1 Horse Guards Road, London, SW1A 2HQ
Telephone 020 7271 6729 / 020 7271 0815
E-Mail publicappointments@csc.gov.uk

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Julian Knight MP
Chair, Digital, Culture, Media and Sport Committee
House of Commons
London, SW1A 0AA

By email: cmscom@parliament.uk

Cc: Sarah Healey, Permanent.Secretary@dcms.gov.uk; DCMS public appointments team, publicappointments@dcms.gov.uk

Dear Mr Knight,

I have continued the assurance work carried out in relation to the competition to find a new Chair of Ofcom, by reviewing the advisory assessment panel report. I am grateful to officials from the Department for Digital, Culture, Media and Sport who fulfilled my request for the report.

My predecessor noted last year that the new competition must be, and seen to be, genuinely fresh, rather than an attempt to get a different answer from the outcome of the first competition. I was pleased to see a new panel constituted for this competition, and as usual for Significant Competitions like this, a new Senior Independent Panel Member was agreed with me ahead of the competition's launch.

The application window was extended to encourage more applicants, and the application field for this competition – at 32 applicants – was much higher than the 7 obtained from the previous competition. My predecessor urged the previous Secretary of State to improve the outreach for this re-run competition and I commend DCMS for the improvement seen between the two competitions.

Disappointingly, only 22 percent of applications were from women, which is lower than the first competition. However, the shortlist was more diverse in other aspects. As I noted in my evidence to your Committee in January, it was disappointing to see press speculation about the likely successful candidates (as also seen with the previous Ofcom competition and that for the BBC Chair). While I am pleased that in this case, pre-briefing did not appear to have the damaging effects on application numbers we have seen before, that should not give licence to anyone - whether that be ministers, officials, candidates or even members of parliament - to try to distort the competition in this way. It underlines the need for panels to be thorough and forthright in their assessment of candidates to protect the process and uphold the Code's Principles.

The report of the interviews shows the Panel assessed shortlisted candidates in a manner consistent with the Government's Governance Code, and against the published criteria for the role. Candidates were asked to prepare and deliver a presentation, and questions from the Panel were put to candidates in a consistent and fair manner. The panel found four candidates were appointable, and



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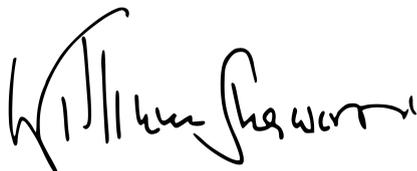
ministers subsequently announced Michael Grade as the preferred candidate for the role from this list.

I have also been grateful to receive the views on the process from the Senior Independent Panel Member, Michael Prescott, whose role as described in the Governance Code is to act as a guarantor that the process of appointment is made in line with the Principles of Public Appointments. He confirmed his view - it was a well conducted, thorough and fair process, and made some practical suggestions on feedback for candidates that my office will share with departments.

The selection of the preferred candidate from amongst those judged appointable by a panel is entirely one for ministers to take and to explain. As you know, candidates for public appointments must declare significant political activity at the outset; it is not a bar but neither can it be a reason for appointment. I am assured that candidates were asked for relevant declarations, and the report makes clear that the panel questioned candidates on any perceived conflicts of interest, and mitigations where necessary. Candidates were also questioned on their ability to uphold standards in public life, and devote the time commitment for the role. I note that the government's preferred candidate discussed his conflicts with the panel and has subsequently resigned the government whip from his position in the House of Lords. I commend the panel for these frank and open discussions with candidates.

I am therefore able to provide my assurance to your committee that all shortlisted candidates in this competition were assessed fairly and robustly, meeting the principles of the government's Governance Code. Further, whilst slow to launch, this fresh competition, from application window closing in early February to the announcement of ministers this week, more than meets the three-month timeliness ambition outlined in the Code. Ofcom has been without a substantive Chair for over a year, and I commend DCMS officials and the Panel for bringing this competition swiftly to a close. This shows that it can be done, even for a high profile appointment, with the engagement of senior people from the outset.

I hope this information is of help and I will continue to liaise with your Committee in our parallel roles of assurance over public appointments. In the interests of transparency, I will put a copy of this letter on my website.



William Shawcross
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